

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ROBERTO OTERO,

Plaintiff,

V.

WORLD'S BIGGEST GIFT SHOP,

Defendant.

Case No. 2:25-cv-01329-MMD-EJY

ORDER

10 Before the Court is the Summons Returned Unexecuted as to the World's Biggest Gift Shop.
11 ECF No. 10. The returned Summons states "employee would not accept the summon." ECF No.
12 10. The Court notes that Plaintiff completed the USM-285 form providing the street address of
13 Defendant's business rather than its registered agent's information. *Id.*

Under Federal Rule of Civil Procedure 4(h)(1), a domestic or foreign corporation in the United States must be served “by delivering a copy of the summons and of the complaint to an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process.” Once again, Plaintiff is advised to review the Nevada Secretary of State Business Entity Search website to locate the name and address for the World’s Biggest Gift Shop’s registered agent upon whom service of his Complaint should be made.

20 Accordingly, IT IS HEREBY ORDERED that the Clerk of Court **must** send Plaintiff another
21 blank USM-285 form.

22 IT IS FURTHER ORDERED that Plaintiff must complete the USM-285 form, including a
23 service address for the World's Biggest Gift Shop's registered agent or its officers (by way of
24 example, president, vice present, or managing member), which may be found on the Nevada
25 Secretary of State Business Entity Search web page. The completed USM-285 form **must be**
26 **returned, no later than September 22, 2025** to:

1 Gary G. Schofield
2 U.S. Marshal, District of Nevada
3 Lloyd D. George Federal Courthouse
3 333 Las Vegas Blvd. S., Suite 2058
3 Las Vegas, Nevada 89101

4 IT IS FURTHER ORDERED that the U.S. Marshal must attempt service within twenty-one
5 (21) days of receipt of the completed USM-285 form from Plaintiff.

6 IT IS FURTHER ORDERED that the Clerk of Court must reissue a summons for the World's
7 Biggest Gift Shop and deliver the summons, together with one copy of Plaintiff's Complaint (ECF
8 No. 4), one copy of the Screening Order (ECF No. 3), and one copy of this Order to the U.S. Marshal
9 Service for service on Defendant.

10 IT IS FURTHER ORDERED that Plaintiff's failure to timely comply with the terms of this
11 Order may result in a recommendation to dismiss this matter in its entirety based on Rule 4(m) of
12 the Federal Rules of Civil Procedure.

13 Dated this 25th day of August, 2025.

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15 ELAYNA J. YOUCAH
16 UNITED STATES MAGISTRATE JUDGE

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